

Amendment A
Application, No. 10/724,555
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REMARKS/ARGUMENTS

Claims 1 through 8 have been canceled without prejudice. Twenty-one claims remain pending in the application: Claims 9 through 29.

Allowable Subject Matter

1. At the outset, Applicants note with appreciation the Examiner's indication that claims 9 through 29 are allowed.

Turning to the specific objection and rejections:

Claim Rejections - 35 U.S.C. § 102

1. Claims 1, 3, 4, and 6 are rejected under 35 U.S.C. § 102(b) as being anticipated by Yamanaka et al. (U.S. 5,000,004). Claims 1, 3, 4, and 6 have been cancelled without disclaimer herewith. Therefore, the rejection is moot.

2. Claims 1 and 3-6 are rejected under 35 U.S.C. § 102(b) as being anticipated by Furuya et al. (U.S. 4,731,989). Claims 1 and 3-6 have been cancelled without disclaimer herewith. Therefore, the rejection is moot.

3. Claims 1, 3, 4, and 6 are rejected under 35 U.S.C. § 102(e) as being anticipated by Bandaru et al. (U.S. 6,775,989). Claims 1, 3, 4, and 6 have been cancelled without disclaimer herewith. Therefore, the rejection is moot.

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Claim Rejections - 35 U.S.C. § 103

4. Claims 2 and 8 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Yamanaka et al. (U.S. 5,000,004). Claims 2 and 8 have been cancelled without disclaimer herewith. Therefore, the rejection is moot.

5. Claims 2, 7, and 8 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Bandaru et al. (U.S. 6,775,989). Claims 2, 7, and 8 have been cancelled without disclaimer herewith. Therefore, the rejection is moot.

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CONCLUSION

By way of this amendment, Applicants have made a diligent effort to place the claims in condition for allowance. However, should there remain any outstanding issues that require adverse action, it is respectfully requested that the Examiner, telephone Thomas Lebens at (805)781-2865 so that such issues may be resolved as expeditiously as possible.

The Commissioner is hereby authorized to charge any additional fees which may be required by Applicants to Deposit Account No. 06-1135.

Respectfully submitted,

FITCH, EVEN, TABIN & FLANNERY

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